

MARCH 8, 2010 - DAY 21

# Upper Chamber Report

Raegan Weber, Press Director  
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## TOP STORY

### Legislative Day 21: Senators Return from Working Recess; Ready to Face Challenges Ahead

By Katie Wright

CHAMBER (Mar. 8, 2010) - The Senate Chamber was filled with a sense of duty and readiness to take on the hard work ahead as senators returned from a two-week working recess. They got right to work by passing Sen. Judson Hill's (R-Marietta) legislation to protect patients' medical identity. Senate Bill 334 provides strong penalties to those convicted of medical identity fraud. Hill said medical identity fraud is quickly becoming the most common type of identity theft and it costs hundreds of thousands of dollars each year. SB 334 brings the penalties in line with those already in place for financial identity fraud.



*Sen. Judson Hill present his legislation to the Senate*

Senators also tackled government transparency, and with vast support passed SB 381 by Sen. Greg Goggans (R-Douglas). This legislation requires the Governor's Budget Report to contain a comprehensive account of all fees collected and administered. Goggans mentioned that there are over 1,800 fees written in state law and that such a large sector of the budget should be included in the governor's report so all Georgians are afforded the ability to view these specifics.

Sen. Lee Hawkins (R-Gainesville) took the well to talk about his common sense legislation, SB 310, which prevents unlicensed pharmacy benefit managers (PBM) from circumventing the laws and regulations. The bill provides exceptions to PBMs operating in alliance with a medical facility or health insurer, as well as penalties of up to \$1,000 for each violation of acting as a PBM without a license. SB 310 passed unanimously out of the Senate.

Legislation to include first aid training in health education courses passed with the narrowest vote of the day. SB 298 by Sen. Valencia Seay (D-Riverdale) simply adds first aid curriculum to health courses that students are required to take. Sen. John Douglas (R-Social Circle) spoke to the bill asking senators to think about the added requirements this legislation would place on teachers and schools, especially during such a tough economic time. Seay then noted that she worked with all interested parties on this legislation, including school boards and the Department of Education to reach consensus on the bill.

Other bills passed today included SB 340, authored by Sen. Seth Harp (R-

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*\* Follow the State Senate on Twitter at GASenatePress*

## Hearing on Child Prostitution Bill draws Crowd

By Kallarin Richards

CLOB 307 (March 8, 2010) – A controversial bill to prevent children being treated as criminals who are forced into prostitution drew both passionate support and vehement opposition from a wide variety of interested parties. Nearly 20 witnesses testified in the Judiciary Committee on Senate Bill 304, authored by Sen. Renee Unterman (R-Buford), which would steer these children into rehabilitation programs rather than prosecuting them as delinquents. Many child advocacy groups and religious organizations support the bill, saying that it treats these children as victims, not criminals. Those against the measure say the bill decriminalizes prostitution, and will only serve to spread such activity across the state. The committee only heard testimony on the bill, and will take up the bill for a vote after expected further revisions and testimony. SB 304 has already undergone extensive changes, as the original language mandated that only those 16 or older could be charged with prostitution, but that language was met with opposition from juvenile court judges and others.

Members did vote to pass another bill of Sen. Unterman's which allows children who are found to be incompetent to stand trial to receive treatment at secure, residential facilities, rather than at a state psychiatric hospital. Under SB 391, which received unanimous passage from the committee, the Department of Behavioral Health and Development Disabilities will have the authority to place these children in such a facility that proponents say is more developmentally appropriate than putting them with adult patients. □

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## Fort: State Cannot Afford to Ignore Dropout Rates

By Jennifer Kitt

ATLANTA (March 8, 2010) – Sen. Vincent Fort (D-Atlanta) is urging the Senate to pass his Dropout Deterrent Act (SB132), which will increase the mandatory school attendance ages from 16 to 17. Georgia has a dropout rate of 21 percent with 38,000 students failing to graduate from high school in 2007.

“Our state has more high school dropouts than individuals with advanced degrees. We cannot afford to ignore this problem,” said Sen. Fort. “One year's class of dropouts will cost Georgia \$4.8 billion dollars over 50 years.”

In addition to making less annual income, dropouts also receive more government assistance, are more likely to be incarcerated, and are twice as likely to rely on Medicaid.

“My bill addresses this problem by requiring teens to stay in school, and encourage them to obtain the necessary information they need to be productive adults. We can address this issue today and save our state billions of dollars in the years to come,” said Sen. Fort. “If Georgia wants to be an economic powerhouse, we must improve our education system. This bill is just one step toward that economic transformation.”

Sen. Fort's bill is currently in the Senate Rules committee, and if passed will go to the Senate for a vote. □



## Sen. Orrock Announces Annual Women Entrepreneurs Day in Georgia

By Kallarin Richards

ATLANTA (March 8, 2010) – Sen. Nan Orrock (D-Atlanta) today announced the first Women Entrepreneurs Day in Georgia, now an annual event at the State Capitol. Recognizing Georgia's nearly 200,000 women business owners, Women Entrepreneurs Day highlights the impact women entrepreneurs make on the state and national economy.

"Women-owned businesses are on the leading edge of today's economy," said Orrock. "It's anticipated that by 2018, women-owned small businesses will be responsible for creating a third of the 15.3 million new jobs that are expected to be generated. Because these entrepreneurs will play such a significant role in leading our nation to economic recovery, it's crucial that we create a dialogue between Georgia's women entrepreneurs and their legislators. Women Entrepreneurs Day will help create a stronger partnership between state lawmakers and women-owned businesses to position Georgia as a leader in the new economy."



*Sen. Nan Orrock joined by fellow female Senators for the first Women Entrepreneurs Day in Georgia*

The creation of Women Entrepreneurs Day is an ideal example of that partnership. Orrock joined Atlanta small business owner Felicia Joy to make Women Entrepreneurs Day a recognized event at the State Capitol. Joy is the founder of Ms. CEO Media Inc., a fast-growing multimedia company that provides insight and inspiration for women entrepreneurs.

"While women have made tremendous strides at the helm of their own businesses, there is still a lot of work to be done," said Joy. "Now more than ever, as our nation strives to regain our economic strength, it is critical that we take an all-hands-on-deck approach to business leadership. That includes making sure that everyone, particularly women who have the most room for growth and creating jobs, have access to capital, policy makers, contracting opportunities and the network of knowledge and influencers that can make a business boom."

Orrock and Joy were joined by several local women business owners to kick off the annual event, who were formally recognized in the Senate Chamber. The day was supported by Justin's Restaurant located at 2200 Peachtree Road in Atlanta, which provided the luncheon, as well as the Georgia Department of Economic Development that made a special presentation to the group. □

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Midland), which requires private and public schools to adopt a reporting system for determining HOPE eligibility for freshmen, sophomore and junior high students. These reports will be used to notify schools and parents of potentially eligible students. Sen. Ed Harbison (D-Columbus) led the Senate to unanimously pass SB 313, which requires every testimony heard by Grand jury is sworn in under oath. SB 322 by Sen. Chip Pearson (R-Dawsonville) provides that all covenants created before a county or municipality adopts zoning laws will continue to be effective until the expiration of that covenant. SB 322 received unanimous passage out of the Senate.

Sen. Pearson, alongside Commissioner Ken Stewart, Director of the Georgia Department of Economic Development, introduced Netherlands Day at the Capitol. Stewart pointed out that more than 70 Dutch companies

have established over 300 operating facilities, investing over \$2.5 billion and employing over 25,000 people in Georgia. It was also mentioned that the United States' partnership with the Netherlands is one of its oldest continuous relationships and dates back to the American Revolution.

Sen. Jeff Chapman (R-Brunswick) hosted the Chaplain of the Day, Rev. Rick Postell of Glynn County. Rick currently serves on staff as the Children's' Pastor and director of Educational Development for Heritage Christian Academy where he teaches High School Bible. Chapman reflected on the morning devotion saying "his poignant words reminded me of the challenging yet rewarding days we have ahead of us. I was moved by his message and am proud to call him my constituent." □



## Lawful Carry Bill passes in Committee & Juveniles will receive credit for Time Served

By Raegan Weber

CAP 125 (Mar. 8, 2010) – The Senate Special Judiciary Committee, chaired by Sen. John Wiles (R-Kennesaw), reconvened after the two week recess to continue deliberations on Sen. Mitch Seabaugh's (R-Sharpsburg) Common Sense Lawful Carry Act (SB 308). The bill was heard for the first time in committee on Feb. 15. Committee members were given time to review the bill and work out any details with Seabaugh before the next hearing.

"This legislation has two purposes – to remedy confusion in the current law and bring continuity to the process of licensing and regulation," said Seabaugh in the first hearing. "Lawfully carrying citizens want to follow the laws and law enforcement officers want to be able to enforce the law. We must eliminate the 'gotcha' situation out of any law we can."

Seabaugh did make concessions to the bill through the legislative process. The committee substitute included clear definitions of unauthorized locations as a place of worship and a bar, unless permitted by the owner. Clearer penalties for infractions of carry laws were added along with the addition of criminal trespass involving a weapon. A voluntary training component for an enhanced weapons license has also been added to the legislation.

The Board of Regents (Regents) continued their opposition to allowing firearms on college campuses, stating their desire for no change to the current law as it pertains to colleges and universities. Seabaugh did concede that portion of SB 308 stating that Regents "will still retain the right to establish regulations about firearms on their grounds." Tom Daniel, senior vice chancellor for the University System, reiterated Regents' objections to changing the law and said, "We will have to agree to disagree on this issue." Chairman Wiles reminded Daniel that this adjustment to the committee substitute was discussed with them and this was the compromise.

Sen. Donzella James (D-Atlanta) stated her concerns that this legislation would allow anyone, anywhere to carry a gun and fears crime will only increase. After some further discussion from the committee, Sea-



*Sen. Mitch Seabaugh Presenting Lawful Carry Bill during a February press conference*

baugh's Commonsense Lawful Carry Act was passed out of committee with a vote of 7-1. James was the only dissenting vote.

Sen. John Crosby (R-Tifton) presented a bill that would give juvenile delinquents credit for time served toward their period of confinement (SB 400). Current law states that, when a juvenile is ordered to be confined in a youth development center (YDC), time spent in secure detention subsequent to the order and before placement in the YDC will count toward the period of confinement set by the order. This bill removes the qualifier "subsequent to the date of the order" so that any time spent by a juvenile in secure detention prior to being sent to the YDC will count toward his/her sentence.

Current law also states that every person convicted of a crime will receive credit for time served in confinement awaiting trial and/or sentencing, *except in juvenile court*. This bill removes that exception, so that defendants in juvenile courts will also receive the benefit of this statute.

Also, the maximum number of days that a court may order a child to serve in YDC will be increased from 30 to 60 days; however, this increase will not occur until July 1, 2012. SB 400 passed out of committee with unanimous consent. □

## Sen. Judson Hill Announces Legislation Protecting Georgia's Public Works Jobs

By Matt Colvin

MARIETTA (Mar. 8, 2010) – State Sen. Judson Hill (R-Marietta) today introduced the *Georgia Public Works and Contractor Protection Act* (Senate Bill 460) to help safeguard taxpayer-funded jobs in Georgia. This important new legislation aims to clarify the existing legal process for obtaining public contracts and the employee eligibility verification system. SB 460 also establishes clear consequences for violation of worker protection procedures.

“This legislation sets up a fair and level playing field for everyone involved in public works contracts,” said Hill. “The legislation is intended to protect our taxpayer dollars, public employers, and law abiding public contractors, but most importantly help insure that Georgians get the public works jobs. What the law is missing are clear, straightforward and enforceable penalties for violators. This legislation provides real penalties which can be enforced.”

Hill's legislation will streamline current Georgia laws relating to the public works system and create a simple-to-understand procedure for the contracting and hiring process. SB 460 also simplifies the practice of using the no-cost federal employment eligibility verification database called 'E-Verify'. This requirement was established in the Georgia Security and Immigration Compliance Act of 2006 and provides that all public employers and their contractors must use E-



Verify when filling public works positions.

“Since the 2006 law went into effect, far too many public employers and contractors have had to deal with confusing and misleading guidelines about their legal responsibilities and duties. I am confident this legislation will improve employers' compliance and help insure that legal workers are employed to perform government contract work.” □

## Natural Resources Committee Sends Three Bills On To Rules



by Natalie Strong

The Natural Resources & Environment Committee jumped back into action Monday afternoon with three bills up for discussion. Committee member Sen. Steve Henson (D- Tucker) presented Senate Bill 437, which requires an additional member to be appointed to the Stone Mountain Memorial Association. The governor already has the power to appoint eight members but this addition would require a ninth member to be appointed from three candidates submitted by the city council of Stone Mountain.

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## Senate Budget Office is WSB Radio's **BREAKFAST CHAMPION**

By Kallarin Richards

The Senate Budget Office received a special surprise last week for their tireless work on the state budget. Lt. Governor Casey Cagle nominated the budget office for WSB Radio's Champion Windows Breakfast Break, where Atlanta Morning News host Scott Slade delivers breakfast to offices around Atlanta. These

"number crunchers" crunched down on some hot and flaky McDonald's breakfast sandwiches, and enjoyed a nice break from their hectic schedule of working to balance the state's budget. Slade also recognized the office on-air during his morning show and shared a message from Lt. Governor Cagle. "The Senate Budget Office, led by Dr. Carolyn Bourdeaux, is an extremely talented group. The legislature has spent this week - and will spend next week - digging into the budget line by line to identify additional ways to prioritize and cut spending to live within our means. Cutting the state budget by billions is no small feat and the Senate Budget Office is an excellent resource to my office and our 56 Senators." □



*Senate Budget Office Staff enjoys breakfast with WSB Radio's Scott Slade, on left*

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Recently, 50 acres were added to the park, all of which are in the Stone Mountain city limits.

Sen. Mitch Seabaugh (R- Sharpsburg) presented SB 401, which would allow for the governor to delay compliance with any federal program that attempts to regulate greenhouse gas emissions or motor vehicle fuel economy until a comprehensive analysis of the fiscal and regulatory impacts can be performed. Legal counsel warned that the bill may overstep the boundaries that states have when complying with federal regulation. Chairman Ross Tolleson (R – Perry) asked that Seabaugh take the necessary steps to strengthen the bill's legality should it pass the committee. This bill passed with one dissenting vote from Henson and will move to the Rules Committee. Finally, Sen. Chip Pearson (R- Dawsonville) introduced the Expansion of Existing Reservoirs Bill (SB 380) which grants the Water Supply division the power to make loans and grants to local governments to be considered in all or any part of the cost of expanding existing reservoirs. The bill also lays out specific criteria to be for all loan requests. The bill passed with one dissenting vote from Sen. Jeff Chapman (R- Brunswick) and will move on to the Rules Committee. □



## Public Safety Committee Urges Teens to Put Down the Phone and Congress to Pick Up Immigration Reform

By Natalie Strong

CLOB 307 (March 8, 2010)-After the Senate returned to Session on Monday, the Public Safety Committee voted on two pressing issues: teen texting while driving and immigration reform. Both

issues had been heavily debated during previous meetings and committee members were eager to get down to business after a two week break. Senate Bill 360, the teen texting bill sponsored by Chairman Jack Murphy ( R- Cumming), attempts to prevent needless wrecks and

deaths that can occur when young, inexperienced drivers text while behind the wheel. Those 18 years of age or younger would be prohibited from participating in any cellular activity, not associated with spoken communication. Sen. Emanuel Jones (D- Decatur) encouraged the committee to consider adding an educational element to the law which would help youth to better understand the risks of distracted driving, while Sen. Bill Jackson (R- Appling) expressed his concern that the bill would “over punish” young

adults. The bill passed unanimously and will move on to the Rules Committee. Committee members moved their attention to Senate Resolution 570, the Comprehensive Immigration Reform Bill. SR 570, sponsored by Sen. Nan Orrock (D- Atlanta), would urge Congress to reject



any legislative efforts to enact unfair and ineffective immigration policies. Orrock stressed that states are being forced to make tough decisions when it comes to illegal immigrants because the federal government is failing to act. The bill passed the committee with much debate and a 5-4 vote. Those voting against the resolution included Sens. Sims, Carter, Jackson and Douglas. □

# Legislative Process Dates

## Important Dates in the Legislative Process

**Introduction** - Last day to file and/or 1st Read in Senate.

**30<sup>th</sup> day** - last day to introduce General Senate bills and resolutions (even year). [Rule 3-1.2 (b)]

**30<sup>th</sup> day** - last day to accept General House bills and resolutions. [Rule 3-1.2 (b)]

**39<sup>th</sup> day** - last day to introduce General Senate bills and resolutions (odd year). [Rule 3-1.2 (b)]

*\*Note: Senate bills and resolutions must be filed with the Secretary before 4:00 p.m. to be 1st read on the next legislative day.*

## Deadlines for passage in current year

**Committee Report Deadlines** - Last day to read report. Report submitted to Secretary by convening.

**28<sup>th</sup> day** - General Senate bills and resolutions.

**38<sup>th</sup> day** - Local Senate bills and resolutions.

**38<sup>th</sup> day** - General House bills and resolutions.

**40<sup>th</sup> day** - Local House bills and resolutions.

### **Calendar Management**

Calendar in numerical order after 2nd reading of legislation; days 1-5. [Rule 4-2.10 (a)]

Rules Committee sets the calendar for days 6 - 40. [Rule 4-2.10 (b)]

### **General Senate Bills and Resolutions**

**26<sup>th</sup> day** - File with Secretary of the Senate. [Rule 3-1.2 (a)]

**27<sup>th</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**28<sup>th</sup> day** - Committee report read upon convening. (A recommitted bill already 2nd read - report day 29.)

**29<sup>th</sup> day** - 2nd Reading. [Rule 4-2.6]

**30<sup>th</sup> day** - Passage [Rule 4-2.10 (a)] and immediate transmittal to House. [Rule 4-2.14]

### **Local Senate Bills and Resolutions**

**35<sup>th</sup> day** - File with Secretary of the Senate. [3-1.2 (a)]

**36<sup>th</sup> day** - 1st Reading and referral to committee. (Cannot pass for 2 days.) [Rule 4-2.4 (c) ]

**38<sup>th</sup> day** - Favorable report by committee, passage and immediate transmittal to the House. [Rule 4-2.14]

**39<sup>th</sup> day** - 2nd Reading in House.

**40<sup>th</sup> day** - Favorable report and passage in House.

### **General House Bills and Resolutions**

**30<sup>th</sup> day** - Transmitted from House and received by Secretary.

**31<sup>st</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**38<sup>th</sup> day** - Favorable report upon convening and 2nd reading. (Applies to days 36 - 38) [Rule 4-2.6]

**39<sup>th</sup> day** - Passage. [Rule 4-2.10 (a)]

**40<sup>th</sup> day** - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]

### **Local House Bills and Resolutions**

**39<sup>th</sup> day** - 1<sup>st</sup> Reading and referral to committee.

**40<sup>th</sup> day** - Favorable report by committee and passage.

*\* Note: On the 30th day and on the last three days of session, bills and resolutions needing action from the House are automatically immediately transmitted. [Rule 4-2.14]*

**40<sup>th</sup> day** - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]